

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON LEGISLATIVE ADMINISTRATION

Call to Order: By **CHAIRMAN SYLVIA BOOKOUT-REINICKE**, on January 23, 2001 at 5:00 P.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Sylvia Bookout-Reinicke, Chairman (R)
Rep. Joe Tropila, Vice Chairman (D)
Rep. Norma Bixby (D)
Rep. Edith Clark (R)
Rep. Dave Lewis (R)
Rep. Gay Ann Masolo (R)
Rep. Trudi Schmidt (D)
Rep. David Wanzienried (D)

Members Excused: None.

Members Absent: None.

Staff Present: Marilyn Miller, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 243, 1/20/2001
Executive Action:

HB 243

Rep. Dee Brown, HD 83, introduced this bill as a measure that would meet a campaign promise she had made to work for less government. This bill would force legislators to prioritize their requests, to monitor whether there are multiple bills on the same subject, and not to carry bills that only affect a few people.

She provided a handout on Bill Draft Activity: 1999 v. 2001 Sessions **EXHIBIT(leh18a01)**. She noted that Legislative Services Director Lois Menzies has estimated that a bill draft could cost as little as \$50-\$100 for a simple bill to \$5,000 or more. She added that, even at an average draft cost of \$200, when you multiply that by the number of bill drafts requested, it is extremely expensive.

The first priority of committee meetings, Rep. Brown said, should be the thorough discussion of the best bills. She wondered whether committees are able to do that, given the large number of bills requested. She also presented Bill Draft Requester Limit Summary Report for 2001 **EXHIBIT(leh18a02)**.

Proponents

Rep. Darryl Adams, HD 84, went on record as favoring this bill. He was joined by **Rep. Bob Davies, HD 27**; **Rep. Jim Whitaker, HD 41**, and **Rep. Verdell Jackson, HD 79**.

Rep. Steve Vick, HD 31, talked about the 90-day limit on legislative sessions, term limits, tax limits, speed limits. Bill limits is an idea that needs to be looked at, he said. He noted that several states have bill limits, including Utah (3 bills prioritized by December 1, irrevocable and nontransferable choice) and Colorado (up to 5 bills per year, which would be the equivalent of 10 bills in the Montana legislature, appropriation and committee bills excluded from this count, and a committee to approve other bills). He discussed the frustration of having to leave a committee meeting to go present a bill at another committee meeting, only to find that half of the committee members were gone presenting bills.

Opponents

None.

Questions from the Committee

Rep. Wanzenried asked whether other states have a constitutional limit on one topic per bill and whether there was a limit on department bills in **HB 243**. **Rep. Brown** said that department bills were not included. **Rep. Vick** cautioned the committee that limits on department bills would force legislators to be more careful about accepting bills from state agencies. **Rep. Masolo** asked about the effect on interim committee bills. **Rep. Brown** responded that there have been 239 bill draft requests from the Legislative Council which would include interim committee bills.

Rep. Wanzenried asked whether the repeal provision in Section 2 of the bill would mean that only a repealer would be allowed in the bill or whether a new law could be proposed if a section were also suggested to be repealed. **Rep. Brown** answered that a bill could propose a new law if it also repealed another law.

Rep. Lewis asked whether committee bills would still be allowed, to which **Rep. Brown** responded that committee bills would be separate under this proposed measure.

Rep. Tropila asked whether agency bills would be included in the bill draft count, and **Rep. Brown** responded that they would be included.

Rep. Wanzenried asked how the 10-draft limit had been arrived at, and **Rep. Brown** said that it was an average of what had been requested during the previous session and as a number that could be handled by staff and committees.

Rep. Schmidt noted that, if the purpose of the bill is to cut down on paper work and staff time, a repealer would still require paper and time. **Rep. Vick** advised **Rep. Schmidt** that repealers actually cost very little to prepare.

Rep. Tropila said that the Colorado limitations exclude appropriation and committee bills and asked whether **Rep. Brown** would agree to that amendment. **Rep. Brown** said that she would agree to an amendment of that type.

Rep. Bixby asked whether the measure would reduce staff in the Legislative Services Division. **Rep. Brown** said that, while she did not believe it would reduce staff, it could hold growth in check. **Rep. Tropila** said the measure could, however, reduce comp time for staff members.

Rep. Lewis said that he believes Section 2 concerning repealers is a loophole; that it would be a simple matter to find something to repeal to include in extra bills. He also believes that excluding appropriation bills is another loophole.

Rep. Bookout-Reinicke asked whether, considering the Colorado plan where a committee can approve extra bills, the Legislative Administration Committee would be the appropriate committee to exercise approval of additional bills for the Montana legislature.

Rep. Brown said she would be willing to consider changes but that the purpose of the bill was to start somewhere.

Rep. Vick brought forward HB 410 **EXHIBIT(leh18a03)** proposed during the previous session on bill limits. His limit did not include bills limited to repeal, a bill appropriating money for the operation of the legislature, bills appropriating money to implement the governor's budget, bills recommended by the code commissioner, a resolution requested by a rules committee concerning rules of the legislature, a bill necessary for technical reasons.

Closing by Sponsor

Rep. Brown closed on her bill and thanked other representatives for their support. She read a November 2000 letter from current House leadership challenging representatives to exercise self-discipline in keeping bill draft requests to five. She included that as another reason that 10 requests would not cause undue hardship on legislators.

Rep. Clark moved that **HB 243** do pass.

Rep. Lewis made a substitute motion that **HB 243** include as a conceptual amendment the exemptions in **Rep. Vick's HB 410** from the 1999 session.

Rep. Wanzenried made a second substitute motion that the committee defer action on the bill until the amendment can be drafted. He also asked that Greg Petesch be present at the next meeting to address constitutional and other issues.

ADJOURNMENT

Adjournment: 5:35 P.M.

REP. SYLVIA BOOKOUT-REINICKE, Chairman

MARILYN MILLER, Secretary

SB/MM